REMARKS

Claims 1-4, 6-8, 11-21 and 35-44 stand rejected. Claims 2-4,6, 8, 11-19 and 35-44 have been amended. Claims 1, 20 and 21 have been canceled. New claims 63-65 have been added. No new matter has been added. The Applicants respectfully request reconsideration in view of the foregoing amendments.

Miscellaneous Claim Amendments

Claims 2-4,6, 8, 11-19 and 35-44 have been amended to provide proper antecedent basis and clarity. No new matter is introduced by these amendments.

Claim Rejections - 35 U.S.C. § 112

Claims 1-4, 6-8, 11-21 and 35-44 were rejected under 35 U.S.C. 112, second paragraph. With respect to claims 1 and 21, the claims have been canceled and thus the rejections as to those claims are now moot. With respect to claims 6, 8, 11-14, 18-20 and 35-42, the office action suggests that the use of the terms "user" versus "participant" is unclear. The claims have been amended to remove the use of the term "user." Furthermore, the office action suggests that the use of the term "enables" is unclear as to whether the associated limitation is required or optional. Such claims have been amended to avoid the use of this term.

For at least these reasons, applicants respectfully request withdrawal of the rejections.

Claim Rejections - 35 U.S.C. § 103

Claims 1-4, 6-8, 11-21 and 35-44 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Cristofich (U.S. Patent 6,269,346). Furthermore, claims 1-4, 6-8, 11-21 and 35-44 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Schoen (U.S. Patent 6,235,176). Claims 1 and 21, now canceled, have been replaced with new claims 63-65.

The present invention allows for a more streamlined system and process for implementing employee stock plans due to the fact that participants are not required to take affirmative steps to open a brokerage account in order to exercise stock options in accordance with the plan. Rather, a finance server system, which is communicably coupled to an administrative server system and a trading server system, automatically creates and stores,

without participant action, limited brokerage accounts based on employer-provided participant information, such accounts being used by the participants to initiate transactions through the trading server system solely in connection with the employee stock plan. Accordingly, participants are not required to individually open a brokerage account to effect such limited transactions.

At the time of the invention, administrative server systems and trading server systems were typically separate and distinct systems performing different functions in different departments of a financial services organization. Administrative server systems stored employer-provided information concerning participants in an employee stock plan for participant and employer-sponsored access, but did not maintain brokerage accounts for use by participants to conduct transactions in connection with such plans over a public exchange. Conversely, trading server systems enabled individuals to initiate transactions over a public exchange, but required each to individually open a brokerage account and also did not have access to any information regarding the employee stock plan stored in the administrative server system. Hence, such systems were not seamlessly integrated and required a number of manual processes to conduct transactions in an employee stock plan through the trading server system and to update the administrative server system according to the results of such transactions.

The claimed invention as recited in claim 63 addresses such problem by providing a finance server system that is communicably coupled to an administrative server system and a trading server system over a communications network, forming an integrated system. Claims 64 and 65 recite similar features from the perspective of a finance server system.

A particular feature of the claimed invention includes "receiving employer-provided information concerning participants in an employee stock plan over a communications network from an administrative server system" and "automatically creating and storing, without participant action, limited brokerage accounts based on the employer-provided participant information, the limited brokerage accounts being used by the participants to initiate transactions through the trading server system solely in connection with the employee stock plan." In other words, the participants are not required to individually open a brokerage account to initiate transactions in connection with an employee stock plan through the trading server system. See

subject specification as originally filed in U.S. Patent Application Publication No. 2002/0042771, paragraphs 0008, 0058 and 0059.

In contrast, Cristofich requires each participant open a brokerage account to facilitate exercises of stock options. (Cristofich: col. 5, lines 13-17). Schoen discusses the use of "participant accounts" but does not teach or suggest how such accounts are opened. For at least this reason, neither Cristofich nor Schoen teach or suggest the step of, or structure for, automatically creating limited brokerage accounts based on the employer-provided information concerning participants in an employee stock plan as recited in claims 63-65.

Furthermore, the claimed invention recites the step of, or structure for (i) presenting an interface through which the participants use the limited brokerage accounts to initiate one or more transactions in connection with the employee stock plan through the trading server system; (ii) updating the limited brokerage accounts with information concerning the one or more transactions; and (iii) transmitting information concerning the updated limited brokerage accounts to the administration server system in order to update the employer-provided participant information stored in the administrative server system. See subject specification as originally filed in U.S. Patent Application Publication No. 2002/0042771, paragraphs 0008, 0050, 0053, 0054, 0057-0060, 0063, 0065-0067, 0069, 0071, 0117.

Neither Cristofich nor Schoen teach or suggest these features. Specifically, since neither reference discuss the feature of automatically creating limited brokerage accounts, they also do not teach or suggest the steps or structure for using limited brokerage accounts to conduct transactions through a trading server system or to update the participant information stored in an administrative server system in connection with an employee stock plan.
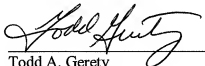
For at least these reasons, claims 63-65 are patentable as they are neither anticipated or obvious in view of the cited art of record.

Furthermore, by virtue of at least their dependency upon claims 63 and 64 and the additional features recited therein, claim 2-4, 6-8, 11-19 and 35-44 are also patentable.

CONCLUSION

In view of the above amendments and remarks, it is believed that claims 2-4, 6-8, 11-19, 35-44 and 63-65 are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned.

Respectfully submitted,

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